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**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I (we) hereby declare that my (our) residence, post office address and citizenship are as stated below next to my (our) name; I (we) believe that I am (we are) the original, first and sole inventor(s) (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: CARDIOPROTECTIVE COMPOSITION COMPRISING CERULOPLASMIN AND USES THEREOF

the specification of which (check one): ☐ is attached hereto; ☐ was filed on \_\_\_\_\_ as application serial No. \_\_\_\_\_ and was amended on (or amended through) \_\_\_\_\_ (if applicable); was filed on May 5, 2000 as International Application (PCT) No. PCT/CA00/00528 and amended on July 10, 2001 (if applicable). I (we) hereby state that I (we) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I (we) acknowledge the duty to disclose information known by me (us) to be material to the patentability of my (our) invention in accordance with Title 37, Code of Federal Regulations, § 1.56(a). I (we) hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application which priority is claimed.

I (We) hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application which priority is claimed.

Prior Foreign Application(s)			Priority Claimed	
2,271,192	CA	05/05/1999	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	YES	NO

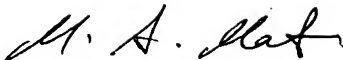
I (we) hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I (we) acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior art application and the national or PCT international filing date of this application:


(Appl. No.)	(Filing date)	(Status – Patented, Pending or Abandoned)
(Appl. No.)	(Filing date)	(Status – Patented, Pending or Abandoned)

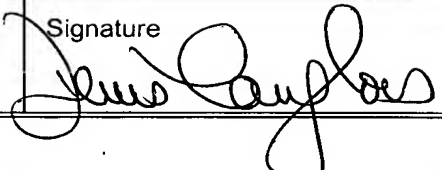
I (we) hereby declare that all statements made herein of my (our) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


**POWER OF ATTORNEY:** I (we) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Garabed NAHABEDIAN (Reg. No. 29,507); Thierry ORLHAC (Reg. No. 29,497); Alain PROVOST (Reg. No. 33,143); Nathalie JODOIN (Reg. No. 41,558); Louis-Pierre GRAVELLE (Reg. No. 44,429); Luc MORIN (Reg. No. 44,430); and France LECLAIRE (Reg. No. 48,115), whose professional address is 55 St Jacques, Montreal, Quebec, Canada, H2Y 3X2.

Full name of First or Sole Inventor Mircea-Alexandru MATEESCU	Citizenship Canadian
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State or Country    Zip Québec CANADA H3A 1B5	State or Country    Zip Québec CANADA H3A 1B5
Date    nov. 1 <sup>st</sup> 2001	Signature 

Full name of second Inventor Joanne PAQUIN	Citizenship Canadian
Residence Address-Street 10151 Georges Baril	Post Office Address-Street 10151 Georges Baril
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State or Country    Zip Québec CANADA H2C 2M9	State or Country    Zip Québec CANADA H2C 2M9
Date le 1 <sup>er</sup> novembre 2001	Signature 

Full name of third Inventor Denis LANGLOIS	Citizenship Canadian
Residence Address-Street 109 Chemin des Ormes	Post Office Address-Street 109 Chemin des Ormes
City Ste-Anne des Lacs	City Ste-Anne des Lacs
State or Country    Zip Québec CANADA J0R 1B0	State or Country    Zip Québec CANADA J0R 1B0
Date November 1st 2001	Signature 

Full name of fourth Inventor Mhamed AOUFFEN	Citizenship Algerian
Residence Address-Street 5179 Henri Julien, Apt. 5	Post Office Address-Street 5179 Henri Julien, Apt. 5
City Montréal	City Montréal
State or Country    Zip Québec CANADA H2T 2E6	State or Country    Zip Québec CANADA H2T 2E6
Date 1 <sup>er</sup> NOVEMBER 2001	Signature 

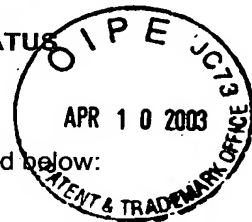
Applicant or Patentee: GESTILAB INC.

Serial or Patent No.: \_\_\_\_\_ No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: **CARDIOPROTECTIVE COMPOSITION COMPRISING CERULOPLASMIN AND USES THEREOF**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**



I hereby declare that I am:

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: GESTILAB INC.

ADDRESS OF CONCERN: 109 Chemin des Ormes, Ste-Anne des Lacs (Québec) CANADA J0R 1B0

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.1301 through 121.1305, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under sections 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled CARDIOPROTECTIVE COMPOSITION COMPRISING CERULOPLASMIN AND USES THEREOF

by inventor(s) MATEESCU, Mircea-Alexandru; PAQUIN, Joanne; LANGLOIS, Denis; and AOUFFEN, Mhamed  
described in:

☒ the specification filed herewith

☐ application serial No. \_\_\_\_\_ filed on \_\_\_\_\_

☐ patent No. \_\_\_\_\_ issued on \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NON-PROFIT ORGANIZATION

☐ See attached sheet for additional person(s), concern(s) or organization(s)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willfull false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Denis LANGLOIS

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 109 Chemin des Ormes, Ste-Anne des Lacs (Québec) CANADA J0R 1B0

SIGNATURE

DATE: November 1st 2001

EXPRESS MAIL CERTIFICATE



Date \_\_\_\_\_ Label  
No. \_\_\_\_\_

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR  
CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

\_\_\_\_\_  
Name (Print) Signature

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No: 6670/OK000US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mircea-Alexandru MATEESCU et al.

Serial No: 10/021,691

Filed: November 5, 2001

For: CARDIOPROTECTIVE COMPOSITION COMPRISING CERULO-  
PLASMIN AND USES THEREOF

Hon. Asst. Commissioner of Patents  
Washington, DC 20231

April 8, 2003

DECLARATION OF JANET S. WENNBURG

Janet S. Wennberg declares and says:

1. I have been employed by Darby & Darby, P.C. for over 19 years and am currently its Records Department Manager.

2. I make this declaration in support of the Request under 35 CFR § 1.182 to Withdraw January 15, 2002 Notice to File Missing Parts of Non-Provisional Application, filed Under 37 CFR § 1.53(b), and to Have Present Submission Accepted as Completion of Application.

3. On information and belief, no copy of the January 15, 2002 Notice to File Missing Parts of Nonprovisional Application was received by Darby & Darby prior to the courtesy copied mailed on March 5, 2003.

4. All USPTO mailed addressed to Darby & Darby, P.C. is opened and date-stamped by its Records Department.

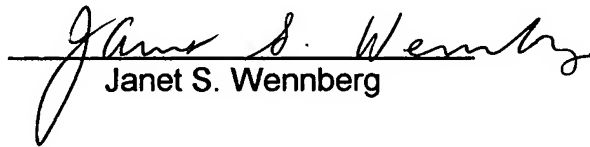
5. All USPTO documents with deadlines (including Notices to File Missing Parts) are scanned into the firm's network so that they can be viewed and/or printed at any time. In addition, a docket entry indicating that mail has been received is entered into the corresponding record in our database, identified by the USPTO mail date and name of the document. (To keep the firm's personnel fully informed at all times, a database report is generated on a daily basis identifying all USPTO mail received.) The actual USPTO document is then matched to the hard file and delivered to the Docketing Department for docketing of its due date on the cover of the hard file, as well as in the firm's hard docketing ledgers.

6. I have checked our running report of USPTO mail received after the alleged mail date of the Notice to File Missing Parts in this case (January 15, 2002), and found that we have no record of having received any USPTO mail for this matter until the courtesy copy of the Notice to File Missing Parts was mailed on March 5, 2003. The database record similarly shows no record of the Notice to File Missing Parts being received. Copies of a computer print screen for the subject application with a print date of April 8, 2003 and the firm's file hard cover are attached hereto as Exhibit A and B respectively to corroborate such findings.

Docket No. 6670/0K000US

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Dated: April 8, 2003

  
Janet S. Wennberg

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New York, N.Y. 10022  
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